

and apply the same to the making or repairing of such bridges or causeways.

162. They shall, before cutting any such timber or trees or removing any earth, stone or gravel, consult the owners of the lands whereon the timber is growing, or the stone, earth or gravel is situated, if residing in the neighborhood, or if not, then the tenant residing on said lands, as to where it is most agreeable to have said timber cut, or stone, earth or gravel removed or taken; and if they can agree on the place and the price, the supervisor, his deputies or agents, shall take stone, earth or timber from the place designated by the owner or tenant; but if they cannot agree, the supervisor, his agent or deputy, shall summon a jury of twelve men, who shall decide the matter in controversy between them, and if in their judgment the wants and interests of the public require the timber, earth or stone, they shall and may condemn and value the same, and after such condemnation the supervisor, his agent or deputy, may proceed to remove said timber, earth or stone; *Provided*, he shall first pay the owner thereof or tender to him the sum awarded by the jury.

163. The supervisor shall keep an account of all moneys so expended and paid out for materials used, or damages awarded by a jury as aforesaid, and return the same under oath to the county commissioners annually, who shall levy the same as other county charges.

164. They may call upon all free, able-bodied male inhabitants of their respective districts, above the age of eighteen and under the age of fifty years, and upon all able-bodied male slaves above the age of eighteen and under the age of fifty years, to labor and assist in clearing, improving and repairing the roads, and shall require so many of said persons as they shall, from time to time, deem necessary, to assemble at such place within their districts as they shall appoint, with sufficient implements of labor, for the improvement and repair thereof.

165. They may hire and employ carts and teams for the carrying and removing all such stones, dirt, gravel and timber as may be deemed necessary for repairing roads and bridges, and the expense of such carts and teams shall be levied upon the county